

## Attachment 13

**Conflict of Interest Compliance Certificate**

- A. DHS intends to avoid conflicts of interest or the appearance of conflicts of interest on the part of the Contractor, subcontractors, or employees, officers and directors of the Contractor or subcontractors. Thus, DHS reserves the right to determine, in its sole discretion, whether any information received from any source indicates the existence of a conflict of interest.
- B. Conflicts of interest include, but are not limited to:
1. An instance where the proposer/Contractor or any of its subcontractors, or any employee, officer, or director of the proposer/Contractor or any subcontractor:
    - a. Has an interest, financial or otherwise, in a Medi-Cal provider; or
    - b. Is currently a party to a contract with a Medi-Cal provider; or
    - c. Is currently either providing to or receiving from a Medi-Cal provider, information of the type that would be exchanged with Medi-Cal providers under the contract; or
    - d. Is currently either providing to or receiving from a Medi-Cal provider, information of the type that would be prohibited from exchange with Medi-Cal providers under the contract.
  2. An instance where the proposer/Contractor or any of its subcontractors, or any employee, officer, or director of the proposer/Contractor or any subcontractor has an interest, financial or otherwise, whereby the use or disclosure of information obtained while performing services under the contract would allow for private or personal benefit or for any purpose that is contrary to the goals and objectives of the contract.
  3. An instance where the proposer/Contractor or any of its subcontractors, or any employee, officer, or director of the proposer/Contractor or any subcontractor is employed by a Medi-Cal provider.
  4. Where pursuant to the Political Reform Act (Government Code Section 87100-87500), a DHS official has an economic interest in the Contractor and the official makes, participates in the making of, or uses his or her official position to influence the making of a decision involving Contractor, where it is reasonably foreseeable that the decision could materially affect the official's economic interest.
  5. Where pursuant to Government Code Section 1090 et seq., a DHS official participates in the making of a contract with Contractor and the official is financially interested in the contract.
- C. DHS' determination of a suspected or potential conflict of interest will be based on all of the proposer's business affiliations and contractual relationships.
- D. If DHS is aware of a known or suspected conflict of interest, the proposer or Contractor will be given an opportunity to submit additional information or to resolve the conflict. A proposer or Contractor with a suspected conflict of interest will have five (5) working days from the date of notification of the conflict by DHS to provide complete information regarding the suspected conflict. If a conflict of interest is determined to exist by DHS and cannot be resolved to the satisfaction of DHS, before or after the award of the contract, the conflict will be grounds for the proposal to be deemed nonresponsive and/or termination of the contract.
- E. The proposer shall place this Certificate in the Appendix Section of its technical proposal response to this RFP. This Certificate shall bear the original signature of an official or employee of the proposer who is authorized to bind the proposer.
- F. This Certificate will be incorporated into the contract, if any, awarded from this RFP. It is understood that this requirement shall be in effect for the entire term of the contract. The Contractor shall obtain

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a completed Certificate from any proposed subcontractor and submit it to DHS prior to approval of the subcontractor by DHS.

- G. The Contractor and each subcontractor shall notify DHS, Payment Systems Division, at MS 4700, 1501 Capitol Avenue, P.O. Box 997413, Sacramento, CA 95899-7413 within ten (10) working days of any change to the information provided on this Certificate.
- H. If the proposer has a suspected or potential conflict of interest, the proposer shall attach to this form a description of the relationship, a plan for ensuring that such a relationship will not adversely affect DHS, and procedures to guard against the existence of an actual Conflict of Interest.

**The undersigned hereby affirms that: (check one)**

- ☐ The statements above have been read and that no conflict of interest exists.
- ☐ A suspected or potential conflict of interest does exist, and additional information (as described in Paragraph H above) is attached along with a plan to address the possible conflict of interest.

**Signed:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Type or Print Name of Authorized Representative:** \_\_\_\_\_